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Attorneys for Plaintiff  
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 05-00260 JMS
	)	
Plaintiff,	)	STIPULATION AND ORDER
	)	CONTINUING TRIAL AND TO
vs.	)	EXCLUDE TIME
	)	
JAMES LOW, (1)	)	OLD TRIAL DATE: 05/09/06
	)	NEW TRIAL DATE: 06/06/06
Defendant.	)	
_____	)	

STIPULATION AND ORDER  
CONTINUING TRIAL AND TO EXCLUDE TIME

IT IS HEREBY STIPULATED AND AGREED by and between the parties herein that the jury trial presently scheduled for May 9, 2006, be continued to June 6, 2006 at 9:00 a.m. before the Honorable J. Michael Seabright. Final Pretrial Conference is set for May 8, 2006 at 10:00 a.m. before Magistrate Judge Kevin S.C. Chang. Defendant's motions are due April 25, 2006, and the Government's responses are due May 8, 2006. The following dates are also continued:

1) Fed.R.Evid 404(b) - Due by May 10, 2006.

2) Motions in Limine - All motions in limine shall be filed and served upon opposing counsel by May 17, 2006. All memoranda in opposition to any motions in limine shall be filed and served upon opposing counsel by May 22, 2006.

3) Jury Instructions - The parties shall serve upon each other a set of proposed jury instructions on or before May 17, 2006.

4) Joint jury instructions, non-agreed upon jury instructions, and/or supplemental jury instructions shall be filed by May 24, 2006.

5) Witness Lists - Due by May 30, 2006.

6) Exhibits - The original set of exhibits tabbed and (in binders), and one copy (in a binder), and the list of exhibits shall be submitted to the court by the Friday before the trial date.

7) Stipulations - All stipulations shall be filed with the court by May 24, 2006

8) Voir Dire Questions - The parties shall prepare in writing and submit to the court any special voir dire inquiries they wish the judge to ask the jury panel by May 24, 2006.

9) Trial Briefs - Due by May 24, 2006, if applicable.

The reason for the continuance is that Defendant Low wishes to postpone the trial date so that his standby counsel, Richard Kawana, Esq., will be available to assist him at trial. Attorney Kawana is not available for trial for most of the month of May, 2006.

Thus, the Defendant has requested the continuance so he may properly prepare for trial and have the assistance of his court-appointed standby counsel. The Government has no objection to the continuance requested by the Defendant.

IT IS FURTHER STIPULATED AND AGREED by and between the parties that the period beginning May 9, 2006, to and including June 6, 2006, be excluded from the computations required by the Speedy Trial Act, Title 18, United States Code, Section 3161. The Court finds that the ends of justice outweigh the best interest of the public and the Defendant in a speedy trial because the continuance allows counsel for Defendant the reasonable time necessary for effective preparation, taking into account the exercise of due diligence in accordance with 18 U.S.C. § 3161(h)(8)(B)(iv).

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IT IS SO STIPULATED.

DATED: Honolulu, Hawaii, May 8, 2006.

EDWARD H. KUBO, JR.  
United States Attorney  
District of Hawaii

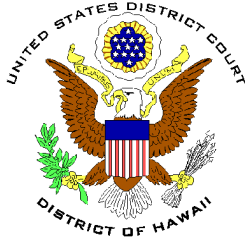
By /s/ Mark A. Inciong  
MARK A. INCIONG  
Assistant U.S. Attorney

/s/ James Low  
JAMES LOW  
Defendant PRO SE

/s/ Richard Kawana  
RICHARD KAWANA, ESQ.  
Standby Counsel for Defendant  
JAMES LOW

IT IS SO APPROVED AND ORDERED:

DATED: Honolulu, Hawaii, May 10, 2006.



J. Michael Seabright  
United States District Judge

United States v. James Low  
CR. No. 05-00260 JMS  
"Stipulation and Order Continuing  
Trial and to Exclude Time"